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8 **UNITED STATES DISTRICT COURT**
9 **FOR THE WESTERN DISTRICT OF WASHINGTON**
10 **AT TACOMA**

11 GLORIA RASMUSSEN and JONATHAN
12 RASMUSSEN, wife and husband and the
13 marital community composed thereof

14 Plaintiffs,

15 vs.

16 ALLSTATE PROPERTY AND CASUALTY
17 INSURANCE COMPANY, a foreign insurer,

18 Defendant.

19 NO. C09-5350RJB

20 STIPULATION AND ORDER FOR
21 DISMISSAL AND REMAND

22 The parties, by and through their undersigned counsel, stipulate that all of plaintiffs'
23 claims except plaintiffs' claim for uninsured motorist benefits shall be dismissed with
24 prejudice. The parties stipulate that plaintiffs' damages on the remaining claim total less
25 than \$75,000. This action shall be remanded back to state court for resolution of plaintiffs'
 claim for uninsured motorist benefits. No attorney's fees or costs shall be awarded in favor
 of any party.

STIPULATION FOR DISMISSAL AND REMAND - 1

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1 DATED this _____ day of June, 2009.
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REED McCLURE

7 By _____
8 Daryl L. Graves, WSBA #7561
9 Attorney for Plaintiff
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By _____
Michael S. Rogers, WSBA #16423
Attorneys for Defendant
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JUDGMENT OF DISMISSAL

Based upon the foregoing stipulation, the court dismisses with prejudice all of plaintiffs' claims except plaintiffs' claim for uninsured motorist benefits. This action is remanded to state court for resolution of plaintiffs' claim for uninsured motorist benefits. No attorney's fees or costs are awarded in favor of any party.

DONE IN OPEN COURT this 1st day of July, 2009.



ROBERT J. BRYAN

United States District Judge

Presented By:

REED McCLURE

By _____
Michael S. Rogers, WSBA #16423
Attorneys for Defendant
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STIPULATION FOR DISMISSAL AND REMAND - 2

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2 Approved for entry, notice
3 of presentation waived:
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5 By _____
6 Daryl L. Graves, WSBA #7561
7 Attorneys for Plaintiffs
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STIPULATION FOR DISMISSAL AND REMAND - 3

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